

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Deborah J. Brangman,

Plaintiff,

v.

AstraZeneca, LP and AstraZeneca
Pharmaceuticals, LP,

Defendants.

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Case No. 12-351

Honorable Anita B. Brody

FILED VIA ECF

DEFENDANTS' PROPOSED VOIR DIRE

Defendants AstraZeneca, LP and AstraZeneca Pharmaceuticals, LP ("AstraZeneca") respectfully requests that the Court use the following voir dire during the jury selection process:

1. The case involves claims of discrimination and retaliation based on race and sex brought by Deborah Brangman against AstraZeneca. Ms. Brangman also claims retaliation under the Delaware Whistleblowers' Protection Act.

2. Ms. Brangman will be represented by Neil Hamburg and Jane Silver from the law firm of Hamburg & Golden. AstraZeneca will be represented by Thomas Bender and Elizabeth Clement from the law firm of Littler Mendelson.

3. AstraZeneca is a pharmaceutical company that develops, manufactures, and markets prescription medicines. AstraZeneca's U.S. headquarters are located in Wilmington, Delaware.

4. AstraZeneca employed Ms. Brangman for approximately 14 years, from December 1996 through October 2010, in various marketing positions. Ms. Brangman is African-American.

5. As you know, there are two sides to every story. In this case, Ms. Brangman will give her side first, and then AstraZeneca will give its side. If you serve as a juror, it will be your sworn duty to listen to the evidence and decide the facts fairly. I will give you the law, but you must apply the law to the facts. That is a heavy burden because in this country, it is the jury that dispenses justice. Today we are looking for fair-minded, intelligent, independent jurors who will keep an open mind and will make a fair decision after hearing all the evidence.

6. This is the stage of the trial where the jurors are selected to hear the case. I will be asking certain questions so that the attorneys and I can learn a little about you. Some of these questions may seem to pry. I apologize for that, but it is extremely important for the attorneys and me to know if there is anything that would cause you unintentionally to be unfair to either side. It might help you to answer my questions if you knew a little bit more about the case.

7. During the trial you will hear testimony concerning the termination of Ms. Brangman's employment from AstraZeneca. You will hear that AstraZeneca eliminated Ms. Brangman's position, along with other positions, due to a business reorganization. After her position was eliminated, but while she was still employed by AstraZeneca, Ms. Brangman applied for two other positions within AstraZeneca but was not selected for either position. Ms. Brangman subsequently took short-term disability leave. Ms. Brangman received two extensions to her short-term disability leave, but failed to submit the necessary paperwork to support her third request for an extension, which resulted in AstraZeneca discontinuing Ms. Brangman's short-term disability benefits. AstraZeneca then terminated Ms. Brangman's employment because she no longer had a position at AstraZeneca. Ms. Brangman claims that these acts were motivated by her race, her gender, or both, and by a complaint that she made about her supervisor and a complaint that she made to AstraZeneca's Compliance Department.

AstraZeneca claims its actions were motivated by the needs of its business and maintains Ms. Brangman's race and sex did not factor into its decision, nor did her complaint about her supervisor or her complaint to the Compliance Department.

8. Now I have these questions for you.
9. Does anyone know any of the attorneys in this case?
 - (a) Neil Hamburg?
 - (b) Jane Silver?
 - (c) Anyone who works for the law firm of Hamburg & Golden, P.C.?
 - (d) Thomas Bender?
 - (e) Elizabeth Clement?
 - (f) Anyone who works for the law firm of Littler Mendelson?
10. Does anyone know the Plaintiff Deborah Brangman?
11. Have you, or has anyone close to you, ever been employed by AstraZeneca?
 - (a) If so, who?
 - (b) What relation does that person have to you?
 - (c) In what capacity was that person employed by AstraZeneca?
 - (d) For how long?
 - (e) For what reason did that person leave the employ of AstraZeneca?
12. Do you know any of these individuals, who may be called as witnesses by AstraZeneca:
 - (a) Tracy Fabian
 - (b) Peter Brockie
 - (c) Danlyn Brown
 - (d) Kevin Guerette

- (e) Art McCarthy
- (f) Brian Martin
- (g) Dave Ilconich
- (h) John McCarthy
- (i) Betsy Rizzuto
- (j) Melissa Ayers
- (k) Louise Butler
- (l) Keisha Bronson
- (m) Athena Ruhl
- (n) Dr. Timothy Michals

13. Does anyone believe that pharmaceutical companies or the people who work for pharmaceutical companies are inherently bad?

14. Has anyone ever been a party to a lawsuit?

- (a) Plaintiff or Defendant?
- (b) What type of case?
- (c) Which court?

15. Has anyone ever been involved in any way in an employment discrimination case or a whistleblower case?

- (a) When?
- (b) How were you involved?
- (c) Which court?

16. Under our system of justice, a very important principle is that organizations like AstraZeneca are to be treated no better or no worse than individuals merely because they are

corporations. If you have a problem accepting that, then you owe it to everyone in the courtroom to say so now. Does anyone have any problem accepting that?

17. The case involves claims that Ms. Brangman was treated unfairly because of her gender, her race, or both, and that it caused her anxiety and depression. There may be some sympathy for Ms. Brangman because of her claims of mistreatment and emotional distress. Sympathy has no place in this courtroom. Do any of you have any doubt that you can render a just and reasoned decision untainted by sympathy?

18. Just because AstraZeneca was sued does not mean that it did anything wrong. If the evidence is such that Ms. Brangman does not prove her case, would you have any difficulty returning a verdict for AstraZeneca with no compensation to Ms. Brangman?

19. Have you, or anyone close to you, ever been fired or laid off?

- (a) What were the circumstances surrounding the loss of the employment?
- (b) Did you feel that the decision was unfair?
- (c) Did you feel that the decision was discriminatory in any way?
- (d) Did you (or the person close to you) complain?
- (e) If so, do you feel that the complaint was handled fairly?
- (f) Would this incident influence your decision-making in this case?

20. Have you, or anyone close to you, ever felt mistreated or discriminated against at work?

- (a) What were the circumstances?
- (b) Did you or the person close to you complain?
- (c) If so, did you feel the complaint was handled fairly?
- (d) Did you or the person close to you take legal action?
- (e) Would this influence your decision-making in this case?

21. Are any of you self-employed or do you own your own business?
22. Do you, or does anyone close to you, suffer from depression, anxiety, or other psychological disorders?
23. Have you, or anyone close to you, had any bad experiences with any prescription medicines manufactured by AstraZeneca?
 - (a) What were the circumstances?
 - (b) Would it influence your decision making in this case?

Respectfully submitted,

/s/ Elizabeth Tempio Clement

Thomas J. Bender (PA #25512)

Elizabeth Tempio Clement (PA #208344)

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